OIPE JC89 NOV 29 2004 PATENT & TRADEMARK OFFICE

IFW

IN THE UNITED STATES PATENT AND TRADEMARK

Appl. No. : 10/777,159 Confirmation No. NA

Applicant : BAYCHAR

Filed : February 13, 2004

Title : WATERPROOF/BREATHABLE TECHNICAL APPAREL

TC/A.U. : TBD

Examiner : TBD

Docket No.: BAY-310-02

Customer No.:249565

Commissioner for Patents
Mail Stop DD
P.O.Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT (IDS)
UNDER § 1.97 AND § 1.98

Sir:

In accordance with the duty of disclosure, Applicant informs the Examiner of the documents cited during prosecution of related applications and discovered by the Applicant.

1. This IDS should be considered:

(a) when filed within three months of the filing date of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;

(b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of $180.00 (a Credit Card Payment Form in the amount of $180.00 is enclosed, or if not see section 5 below);

(c) when filed prior to the payment of the Issue Fee, when 1(a)-(b) do not apply, and when a certification is included in section 4 below (included when indicated by a marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is a fee of $180.00 (a Credit Card Payment Form in the amount of $180.00 to cover the petition fee, or if not see section 5 below).

2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.

3. Listing of the information submitted is on the attached Form PTO-1449, which forms a part of this IDS.

4. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 50-1417.

5. No explanation of relevancy is being provided for the following document(s) because each is either in the English language, discussed in the present Specification, or its relevance is as stated in a communication from a foreign patent office in a counterpart foreign application.

6. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,

MATTINGLY, STANGER & MALUR

By _____
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FORM PTO-1449 (REV. 7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. BAY-310-02	SERIAL NO. 10/777,159
		APPLICANT BAYCHAR	
		FILING DATE February 13, 2004	GROUP

LIST OF DOCUMENTS CITED BY APPLICANT

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

* EXAMINER INITIAL		DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE (If Appropriate)
	AA	4,894,932	01/1990	Harada et al			
	AB	5,575,090	11/1996	Condini, Alessandro			
	AC	6,065,227	05/2000	Chen, Eddie			
	AD	6,474,002	11/2002	Chen, Eddie			
	AE	6,474,001	11/2002	Chen, Eddie			
	AF	5,876,792	03/1999	Caldwell			
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

		DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
	AL						☐	☐
	AM						☐	☐
	AN						☐	☐
	AO						☐	☐
	AP						☐	☐

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, etc.)*

	AR		
	AS		
	AT		

EXAMINER	DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.